

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

GEORGE DYNOTT,)	
)	
PLAINTIFF,)	
)	
V.)	CIVIL ACTION NO.
)	_____
NATIONSTAR MORTGAGE, LLC)	
AND MCCALLA RAYMER, LLC,)	
)	
DEFENDANTS.)	

NOTICE OF REMOVAL

COMES NOW Defendant Nationstar Mortgage LLC (“Nationstar”), by and through its counsel of record, within the time prescribed by law, hereby removes this action to the United States District Court for the Northern District of Georgia, Atlanta Division, showing the Court as follows:

Plaintiff George Dynott filed his Complaint, Civil Action Number 13-1-2675-40 in the Superior Court of Cobb County, Georgia, attempting to assert claims for Wrongful Foreclosure and for violations under the Real Estate Settlement Procedures Act (“RESPA”) and the Fair Debt Collection Practices Act (“FDCPA”) among others. A copy of the Complaint is attached hereto as **Exhibit A.**

Defendant McCalla Raymer, LLC consents to this Notice of Removal to Federal Court; a copy of said consent is attached hereto as **Exhibit B**.

Federal Question Jurisdiction Exists Pursuant To 28 U.S.C. § 1331

The Court has subject matter jurisdiction over this matter, and this case is properly removed to this Court, as shown below:

Pursuant to 28 U.S.C. § 1331, one or more causes of action in the Complaint arise under the laws of the United States.

As shown in 28 U.S.C. § 133, “[t]he district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” Plaintiff asserts claims purportedly based on the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*, and the Real Estate Settlement Procedures Act 12 U.S.C. § 2601 *et seq.*

Removal is proper under 28 U.S.C. § 1441(a) because the Court has original jurisdiction, pursuant to 28 U.S.C. § 1331, over plaintiff’s claims arising under federal law.

Pursuant to 28 U.S.C. § 1446, Defendant attaches hereto as **Exhibit C** copies of all process, pleadings, orders, and other papers it has received in this action.

A true and correct copy of this Notice of Removal will be filed with the Clerk of the Superior Court of Cobb County, Georgia as required by 28 U.S.C. § 1446.

Concurrent with the filing of this Notice of Removal, Defendant has served Plaintiff with a copy of Defendant's Notice to Superior Court of Removal to Federal Court, which will be filed in the Superior Court of Cobb County, Georgia. A copy of this Notice, without exhibits, is attached hereto as **Exhibit D**.

By filing this Notice of Removal, Defendant does not waive its right to assert any defenses and/or objections to which they are entitled.

WHEREFORE, Defendant prays that the action bearing Civil Action Number 13-1-2675-40 in the Superior Court of Cobb County, Georgia be removed to and proceed in this Court and that no further proceeding be had in this case in the Superior Court of Cobb County, Georgia.

Respectfully submitted this 1st day of May, 2013.

/s/ Christopher S. Anulewicz

Christopher S. Anulewicz
Georgia Bar No. 020914
E-mail: canulewicz@balch.com
Jeremy Gregory
Georgia Bar No. 885342
E-mail: ggregory@balch.com

BALCH & BINGHAM LLP

30 Ivan Allen Jr. Blvd. N.W., Suite 700
Atlanta, GA 30308
Telephone: (404) 261-6020
Facsimile: (404) 261-3656

ATTORNEYS FOR NATIONSTAR
MORTGAGE, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Notice of Removal** has been served upon the following by U.S. Mail, properly addressed and postage prepaid, on this the 1st day of May, 2013:

George N. Dynott
2911 Water Lily Court
Austell, GA 30106

Kent E. Altom
J. Thomas Howell
Madeline K. Bader
McCalla Raymer, LLC
Six Concourse Pkwy, Ste 2800
Atlanta, GA 30328

/s/ Christopher S. Anulewicz
Christopher S. Anulewicz
Georgia Bar No. 885342